

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6210**

**BILL NUMBER:** SB 115

**NOTE PREPARED:** Feb 20, 2012

**BILL AMENDED:** Feb 20, 2012

**SUBJECT:** Description of Political Subdivisions.

**FIRST AUTHOR:** Sen. Landske

**FIRST SPONSOR:** Rep. Koch

**BILL STATUS:** CR Adopted - 2<sup>nd</sup> House

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) *Updates Population Parameters*- The bill changes population parameters in various statutes to reflect the population count determined under the 2010 decennial census. The bill specifies that changes in population parameters in legislation enacted during the 2012 regular session take effect April 1, 2012.

*Updating Multipliers Used to Distribute County Misdemeanant Housing Fund* – The bill updates multipliers that are based on a county's population and used in determining distributions made by the Department of Correction (DOC) to county misdemeanor funds.

*Substitution of Names for Parameters*- The bill substitutes names for population parameters in the following types of statutes: (1) Statutes legalizing certain actions of particular political subdivisions. (2) Statutes that have been challenged unsuccessfully as special or local legislation. (3) Statutes reserving certain powers to certain political subdivisions at the time of recodification of laws relating to political subdivisions. (4) Statutes relating to certain local taxes.

*First Class City Conflict*- The bill resolves a conflict in the statute that defines the classes of cities to provide that a city becomes a first class city when the city attains a population of 600,000.

*Second Class Cities and Park Authority*- The bill allows a third class city that adopted second class city status as a result of the 2010 federal decennial census to adopt an ordinance or resolution to serve as the park authority and be subject to all or part of the provisions applicable to a park authority. The bill makes conforming amendments.

(The introduced version of this bill was prepared by the Census Data Advisory Committee.)

**Effective Date:** (Amended) Upon passage; April 1, 2012; July 1, 2012.

**Explanation of State Expenditures:** *Updating Multipliers Used to Distribute County Misdemeanant Housing Fund* – These new multipliers could increase state expenditures \$22,134. LSA estimates that the amount that would be available for counties by statute in FY 2012 is \$4,443,715 and the amount that would be available for FY 2013 is \$4,465,849.

**Background**– The County Misdemeanant Housing Fund was included in the state budget to compensate counties when state law prohibited criminal courts from committing misdemeanants to state prisons.

The formula for determining each county’s share of the fund is determined as the highest of the following:

1. The product of multiplying the appropriated amount by each county’s proportion of the total state population.
2. A minimum allocation amount assigned to the county under IC 11-12-6-11.1(a).
3. The amount each county received from the state in FY 1999.

The following shows the amount appropriated for each year between FY 1999 and FY 2013.

Appropriations (in \$M) for the County Misdemeanant Fund, FY 1999 - FY 2013.														
1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
\$2.30	\$4.19	\$4.19	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) *Second Class Cities and Park Authority*- This provision would allow the Jeffersonville legislative body to designate by ordinance or resolution their current park department (established while under third class city status) as the city’s park authority (standard for second class city status). The provision would not affect second class cities that were second class cities before the 2010 federal decennial census. This provision could affect similar third class cities that were to adopt second class status as a result of the 2010 federal decennial census.

**Explanation of Local Revenues:** *Updating Multipliers Used to Distribute County Misdemeanant Fund* – These multipliers are calculated based on the proportion of each county’s population to the state’s population. As the relative county populations have shifted, some counties will receive more state funding while other counties will receive less. There is a third group of counties that would see no change in the amount of revenue that they would receive.

The following table summarizes these changes in fund distributions.

	Gain	Loss	No Change
Number of Counties	15	50	27
Estimated Change	\$131,759	(\$109,625)	\$0

Counties with Revenue Gains									
Allen	\$856	Clark	\$4,709	Hancock	\$7,278	Jasper	\$1,284	Porter	\$5,137
Bartholomew	\$428	Elkhart	\$1,712	Harrison	\$1,615	Johnson	\$11,131	Tippecanoe	\$8,990
Boone	\$4,709	Hamilton	\$52,229	Hendricks	\$22,690	Monroe	\$6,422	Warrick	\$2,569

Counties with Revenue Losses									
Adams	-\$856	Fayette	-\$2,141	Jennings	-\$428	Newton	-\$856	Spencer	-\$856
Benton	-\$428	Floyd	-\$428	Knox	-\$2,569	Noble	-\$1,284	Starke	-\$1,284
Brown	-\$428	Fountain	-\$1,284	Kosciusko	-\$1,284	Orange	-\$428	Steuben	-\$856
Carroll	-\$856	Fulton	-\$556	Lake	-\$13,699	Owen	-\$1,284	Sullivan	-\$1,284
Cass	-\$2,997	Grant	-\$5,565	LaPorte	-\$3,853	Parke	-\$428	Tipton	-\$856
Clay	-\$1,284	Greene	-\$1,712	Marion	-\$9,418	Posey	-\$2,141	Vigo	-\$3,425
Clinton	-\$2,141	Henry	-\$1,712	Martin	-\$428	Randolph	-\$2,141	Wabash	-\$2,997
Crawford	-\$428	Huntington	-\$2,569	Miami	-\$758	Rush	-\$1,284	Wayne	-\$4,709
DeKalb	-\$428	Jay	-\$1,284	Montgomery	-\$1,284	St. Joseph	-\$10,703	Wells	-\$856
Delaware	-\$5,993	Jefferson	-\$856	Morgan	-\$1,712	Shelby	-\$856	White	-\$1,712

Counties with No Change in Funding				
Blackford	Gibson	Marshall	Ripley	Warren
Daviess	Howard	Ohio	Scott	Washington
Dearborn	Jackson	Perry	Switzerland	Whitley
Decatur	LaGrange	Pike	Union	
Dubois	Lawrence	Pulaski	Vanderburgh	
Franklin	Madison	Putnam	Vermillion	

**State Agencies Affected:**

**Local Agencies Affected:** County Sheriffs; Cities that adopted second class status as a result of the 2010 federal decennial census.

**Information Sources:** Department of Correction, State Budget.

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